

November 6, 1967

CONGRESSIONAL RECORD — HOUSE

H 14595

Many of the producers of burley tobacco live on small mountain farms. With the ever-increasing shortage of farm labor, producers of tobacco are having difficulty finding competent labor to help tend their crops. This is particularly true where the producers of the tobacco are elderly or infirmed—with many of these unable to produce a crop at all.

This legislation would have enabled producers of burley tobacco to lease their allotment for a period of time not to exceed 5 years. It also provided that the allotment would remain with the lessor for the purpose of determining the base allotment.

Mr. Speaker, I believe this legislation would be of great help to many of our small tobacco farmers.

TOBACCO ALLOTMENT LEASE AND TRANSFER

The Clerk called the bill (H.R. 13653) to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CARTER. Mr. Speaker, I object.

Mr. SNYDER. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

AMENDING SECTION 319 OF THE IMMIGRATION AND NATIONALITY ACT TO PERMIT NATURALIZATION FOR CERTAIN EMPLOYEES OF U.S. NONPROFIT ORGANIZATIONS ENGAGED IN DISSEMINATING INFORMATION WHICH SIGNIFICANTLY PROMOTES U.S. INTEREST, AND FOR OTHER PURPOSES

The Clerk called the bill (H.R. 2138), to amend section 319 of the Immigration and Nationality Act to permit naturalization for certain employees of United States nonprofit organizations engaged in disseminating information which significantly promotes United States interest, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 2138

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 319 of the Immigration and Nationality Act (66 Stat. 244) is amended by adding a new subsection (c) to read as follows:

"(c) Any person who (1) is employed by a bona fide United States incorporated nonprofit organization which is principally engaged in conducting abroad through communications media the dissemination of information which significantly promotes United States interests abroad and which is recognized as such by the Attorney General, and (2) has been so employed continuously for a period of not less than five years after a lawful admission for permanent residence, and (3) who files his petition for naturalization while so employed or within six months following the termination thereof, and (4) who is in the United States at the time of naturalization, and (5) who declares before the naturalization court in good faith an intention to take up residence within the United States immediately upon termination of such employment, may be naturalized upon compliance with the requirements of this Act except that no prior residence or specified period of physical presence within the United States or any State or within the jurisdiction of the court, or proof thereof, shall be required."

(b) The title preceding section 319 is amended to read as follows: "MARRIED PERSONS AND EMPLOYEES OF CERTAIN NONPROFIT ORGANIZATIONS".

(c) The table of contents (Title III—Nationality and Naturalization, ch. 2) of the Immigration and Nationality Act is amended by changing the designation of section 319 to read as follows:

"Sec. 319. Married persons and employees of certain nonprofit organizations."

With the following committee amendment:

On page 2, line 13, after the words "requirements of this" strike out the word "Act" and substitute in lieu thereof the word "title".

AMENDMENT TO COMMITTEE AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. Dowdy: Strike out the word "title" and substitute in lieu thereof the word "Title".

The amendment to the committee amendment was agreed to.

The committee amendment, as amended, was agreed to.

(Mr. MOORE asked and was given permission to extend his remarks at this point in the Record.)

Mr. MOORE. Mr. Speaker, the purpose of this bill (H.R. 2138) is to permit the naturalization of certain aliens who meet the conditions precedent—the principal one being five years of employment abroad, after a lawful admission to the United States for permanent residence, with an organization of the communications media—disseminating information.

Certain employees of U.S. nonprofit organizations—particularly Radio Liberty and Radio Free Europe—although admitted to the United States for permanent residence have been necessarily, regularly stationed abroad in their employment and thus are unable to meet the physical presence requirements and in some cases the residence requirement for naturalization.

Most of the beneficiaries of the bill are anti-Communist exiles from countries now under Communist rule. They cannot either safely or in good conscience return to their native countries. They choose to live in freedom, and they wish to become American citizens. All have at some time in the past established residence in the United States, and hold re-entry permits. Their dearest wish is to become American citizens, and most especially to facilitate their children becoming citizens, so the children can have an American education and be completely American. Although they are, for the best of reasons, working abroad, they avidly take advantage of opportunities to send their young children to American schools. Typically, the children speak unaccented, colloquial English and their parents are proud of it. It should not be overlooked that these people are select people, and their children are potentially life.

Among these individuals are former ambassadors, diplomats, parliamentarians, academicians, professional people, writers, editors, businessmen—people of great talent and proven ability, who would be able in America to make a real contribution to society—indeed, their contribution is already notable in their present work.

This bill considers the period of employment abroad by specified organizations as constructive residence and constructive physical presence in the United States. The employees of these quasi-governmental organizations will enjoy the same special benefits that U.S. Government employees, ministers and priests engaged in religious activities, and seamen employed aboard American-flag carriers now enjoy.

This bill is concerned only with the residence requirement for naturalization. Any person benefiting from this bill, must have been lawfully admitted for permanent residence in accordance with all provisions of law, and must satisfy all naturalization requirements, including good moral character and attachment to the principles of the Constitution.

I recommend passage of the bill.

Mr. RODINO. Mr. Speaker, it is a great pleasure to speak in support of the legislation I have introduced. H.R. 2130, which is before us now for action.

This measure will benefit persons employed by bona fide U.S. nonprofit organizations, such as Radio Free Europe and Radio Liberty, engaged abroad in disseminating information which significantly promotes U.S. interests. Because of their employment overseas, employees of these organizations have been unable to satisfy the physical presence requirements necessary for naturalization. Under H.R. 2138 the aliens to benefit must first be admitted into the United States for permanent residence and then have worked for such organizations for at least 5 years. In all other respects they must comply with provisions of our immigration and naturalization laws.

Because of their dedication the people to benefit from H.R. 2138 have sacrificed the opportunity to remain in the United States and become citizens in order to serve the nation abroad in anti-Communist endeavors. These people are, by every standard, American in thought, devotion, and allegiance, and they are especially mindful of the future of their children. They have escaped from Communist countries and have rededicated their lives to combatting it.

Mr. Speaker, I first introduced this legislation in January 1965, after I had visited the facilities of Radio Free Europe and Radio Liberty in Munich, Germany, in 1964. At that time I had an opportunity to talk with employees of both organizations as well as an opportunity to evaluate their contributions to the interests of the United States. With this firsthand, on-the-scene appraisal of what was being accomplished, I became firmly convinced that legislation which would consider their employment overseas with these organizations as constructive residence for immigration purposes would be both in the spirit of recognizing their service to the United States abroad and in the interest of the United States.

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The people who would be beneficiaries of this legislation have held important positions in many fields in their native lands. They are former diplomats, lawyers, economists, writers, and editors.

Mr. Speaker, enactment of H.R. 2138 is essential as a matter of simple justice, and it would benefit our country by giving us as new citizens dedicated and highly capable individuals who are promoting our interests and ideals abroad. I urge the approval of this long needed measure.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

Mr. O'NEAL of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11565) to amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

The Clerk read as follows:

H.R. 11565

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1938, as amended, is amended by adding after section 358 the following new section:

"Sec. 358a. (a) Notwithstanding any other provision of law for the 1968 and 1969 crop years, the Secretary, if he determines that it will not impair the effective operation of the peanut marketing quota or price-support program, (1) may permit the owner and operator of any farm for which a peanut acreage allotment is established under this Act to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm in the same county for transfer to such farm; and (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him.

"(b) Transfers under this section shall be subject to the following conditions: (1) no allotment shall be transferred to a farm in another county; (2) no transfer of an allotment from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders; (3) no sale of a farm allotment from a farm shall be permitted if any sale of allotment to the same farm has been made within the three immediately preceding crop years; (4) no transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which such transfer is made and such committee determines that the transfer complies with the provisions of this section; and (5) if the normal yield established by the county committee for the farm to which the allotment is transferred does not exceed the normal yield established by the county committee for the farm from which the allotment is transferred by more than 10 per centum, the lease or sale and transfer shall be approved acre for acre, but if the normal yield for the farm to which the allotment is transferred exceeds the normal yield for the farm from which the allotment is transferred by more than 10 per centum, the county committee shall make a downward adjustment in the amount of the acreage allotment transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the ratio of the normal yield of the farm to which the allotment is transferred to the normal yield of the farm from which the allotment is transferred.

which the allotment is transferred by the acreage being transferred and dividing the result by the normal yield established for the farm to which the allotment is transferred: *Provided*, That in the event an allotment is transferred to a farm which at the time of such transfer is not irrigated, but within five years subsequent to such transfer is placed under irrigation, the Secretary shall also make an annual downward adjustment in the allotment so transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the actual yield for the previous year, adjusted for abnormal weather conditions, on the farm to which the allotment is transferred: *Provided further*, That, notwithstanding any other provision of this Act, the adjustment made in any peanut allotment because of the transfer to a higher producing farm shall not reduce or increase the size of any future National or State allotment and an acreage equal to the total of all such adjustments shall not be allotted to any other farms.

"(c) The transfer of an allotment shall have the effect of transferring also the acreage history and marketing quota attributable to such allotment and if the transfer is made prior to the determination of the allotment for any year the transfer shall include the right of the owner or operator to have an allotment determined for the farm for each year: *Provided*, That in the case of a transfer by lease the amount of the allotment shall be considered, for the purpose of determining allotments after the expiration of the lease, to have been planted on the farm from which such allotment is transferred.

"(d) The land in the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the five years following the year in which such transfer is made.

"(e) Any lease may be made for such term of years not to exceed five as the parties thereto agree, and on such other terms and conditions except as otherwise provided in this section as the parties thereto agree.

"(f) The lease of any part of a peanut acreage allotment determined for a farm shall not affect the allotment for the farm from which such allotment is transferred or the farm to which it is transferred, except with respect to the crop year or years specified in the lease. The amount of the acreage allotment which is leased from a farm shall be considered for purposes of determining future allotments to have been planted to peanuts on the farm from which such allotment is leased and the production pursuant to the lease shall not be taken into account in establishing allotments for subsequent years for the farm to which such allotment is leased. The lessor shall be considered to have been engaged in the production of peanuts for purposes of eligibility to vote in the referendum.

"(g) The Secretary shall prescribe regulations for the administration of this section which may include reasonable limitation on the size of the resulting allotments on farms to which transfers are made and such other terms and conditions as he deems necessary, but the total peanut allotment transferred to any farm by sale or lease shall not exceed fifty acres.

"(h) If the sale or transfer occurs during a period in which the farm is covered by a conservation reserve contract, cropland conversion agreement, or other similar land utilization agreement the rates of payment provided for in the contract or agreement of the farm from which the transfer is made shall be subject to an appropriate adjustment, but no adjustment shall be made in the contract or agreement of the farm to which the transfer is made.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Georgia is recognized for 20 minutes.

(Mr. O'NEAL of Georgia asked and was given permission to revise and extend his remarks.)

Mr. O'NEAL of Georgia. Mr. Speaker, this bill has been previously debated, but it turned on a point that was not directly related to the bill itself. The Members will recall that several weeks ago we had the bill up, but the opponents of the bill saw fit to confine their objections to a matter related to food stamps rather than the bill itself.

I personally regret that the gentleman has seen fit to demand a second, but it does give me an opportunity again to outline the bill to the House.

Mr. Speaker, the purpose of H.R. 11565 is to authorize the sale, lease, or transfer of peanut acreage allotments among farms within the same county.

Enactment of the bill would not result in any additional cost to the Federal Government, but it would serve to improve program operations for peanut farmers. It has the blessings of the Department of Agriculture, the Bureau of the Budget, and the House Committee on Agriculture.

This legislation is needed primarily to permit farmers to increase the size of their allotment in order to realize a more reasonable return on their considerable investments.

There are many peanut acreage allotments too small to constitute an economic unit in view of rising costs of producing and harvesting the crop. The Department of Agriculture reports that in 1964—the last year for which complete statistics are available—more than one-fourth of all peanut allotments were 5 acres or less and more than one-half were 10 acres or less. This year the average size of established allotments is approximately 17.9 acres.

The problem of small allotments becomes more serious each year as the cost per acre to produce peanuts continues to rise steadily. A farmer with an allotment of 5 acres must use the same type expensive equipment, herbicides, and improved methods of cultivation as a farmer with 100 acres.

Allowing farmers to transfer peanut acreage allotments would permit the establishment of more economic-sized units of production. This in turn would result in more efficient production on individual farms and for the industry as a whole.

Small but capable and efficient farmers could increase their acreage of peanuts while others, who wish to discontinue growing peanuts, could transfer their resources to other crops, or retire from peanut production entirely and still receive remuneration.

Another very important benefit of the bill is that it would allow a new grower to acquire an allotment even though the national allotment is not increased by